

EE-TT-4/70

JOINT SUBCOMMITTEE ON PROTECTION OF CLASSIFIED GOVERNMENT DATA

MINUTES OF MEETING

OCTOBER 24, 1961

The JOINT Subcommittee on Protection of Classified Government Data met on Wednesday, October 24, 1961, at 2:00 p.m., in Room 5818, Department of Justice. The following members and ad hoc representatives were present:

Department of Justice:

Mr. F. Oscar Smith,
Acting Chairman

Department of Defense:

Col. Sidney B. Rubenstein

Department of State:

Mr. Charles Tulin, Alternate

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Department of the Treasury
Ad Hoc Representative:

Mr. William Harrison

Atomic Energy Commission
Ad Hoc Representative:

Mr. William T. Riley

Central Intelligence Agency
Ad Hoc Representative:

[REDACTED]

Secretary, JOIS:

Mr. Leonard P. Mervant
Miss Mary H. Apichino

STATINTL

1. Executive Order 12890

The Subcommittee considered the last of suggestions dated October 10, 1951, furnished by the Secretary, ICIS, by memorandum dated October 12, 1951, which suggestions were made by ICIS members at the ICIS meeting on October 9, 1951, and relate to steps ICIS might take to implement the President's directive in regard to E.O. 12890.

Suggestion 1: It was agreed to revise this suggestion as follows:

"ICIS might request the Agencies to submit any regulations which they may issue under this Executive Order."

The ICIS will be given the following explanation for the revision: As previously worded, this step deals with "polishing" of the administration of the order by ICIS and the Subcommittee is not ready to take any position in that regard at this time.

Suggestion 2: The subcommittee decided to make no recommendation regarding this suggestion because of the following reasons:

1. It involves the reviews rather than advice and assistance and the subcommittee is not prepared to deal with that question at this time.
2. It is repetitive.
3. There is nothing in the President's directive that this Committee can interpret as furnishing authority for requiring such action.

Suggestion 3: It was agreed, with one dissenting vote by the Treasury representative, to recommend to ICIS that it suggest to all agencies that where applicable within each agency it might be advisable for the agency itself to provide immediate guidance through the use of specific examples illustrating the nature of items of information which should be classified.

Suggestion 4: It was agreed with two dissenting votes to recommend to ICIS the following revision of this suggestion: ICIS should recommend to all agencies that where applicable the agency itself should undertake an actual physical inspection of its procedures and machinery.

Suggestion 5: The subcommittee decided not to recommend this suggestion because it involves a matter of procedural detail which should remain the prerogative of each individual agency.

Suggestion 6: It was agreed that the Subcommittee will recommend to ICIS that it suggest to the various agencies that they consider the establishment of declassification procedures.

Suggestion 7: The ICIS will be advised that it is the view of the subcommittee that the appointment of qualified persons to be in charge of the administration of the Executive Order is an inherent responsibility of each agency head and it need not be specifically recommended to each agency by the ICIS. However, the Executive Secretary of the Security Advisory Committee should be available to furnish advice and guidance in the selection of personnel whenever called upon to do so by the agencies.

Suggestion 8: All the members were opposed to this suggestion. No recommendation was made.

Suggestion 9: The subcommittee agreed to delete the first sentence and state the following regarding the remainder of the suggestion:

The Subcommittee has recommended the establishment of a Security Advisory Committee with a full time Executive Secretary to provide advice and assistance to the various agencies and the subcommittee has received informal indication from the ICIS that this recommendation has been approved. It is therefore the feeling of the Subcommittee that this proposal has been met. In reference to the first sentence, which the subcommittee deletes from the suggestion, it is the feeling of this Committee, as previously expressed, that it is not ready to make any recommendations to ICIS regarding the "policing system" which might be established.

Suggestion 10: It was agreed by all the members that this is a matter solely within the discretion of the ICIS.

Suggestion 11: The subcommittee agreed to inform ICIS that it is the consensus of the Subcommittee that this proposal would be desirable. However, the ICIS has been overruled in the matter by EXC and the Subcommittee cannot take any position on it.

Suggestion 12: The subcommittee agreed to suggest to ICIS that whether or not public releases should be cleared in the various agencies with the originating office rather than the security officer is within the discretion of the particular agency.

Suggestion 13: All the members were in agreement that the following statement should be made to the ICIS:

It is noted by this Subcommittee that this is already required by the Executive Order in paragraph (84 (c)). of the Federal Register.

Suggestion 14: It was agreed that this is a matter which should be left to the discretion of each agency.

Suggestion 15: Concerning this item, the following conclusion was reached: The attention of ICIB should be invited to the fact that the establishment of a Security Advisory Committee with an Executive Secretary, provides the necessary machinery to meet this proposal.

Suggestion 16: The Subcommittee requested the Secretary, to inform ICIB that due to the early effective date of the Executive Order the Subcommittee has not had an opportunity to examine all the various suggestions made by the press and it is suggested that the Security Advisory Board examine such suggestions.

The Secretary was instructed to inform the ICIB orally at its next meeting of the above views regarding the suggestions. Also he will inform ICIB that it is suggested by this Subcommittee that responsibility for any reviewing procedure which may be required in order to achieve uniform compliance be assigned to the Security Advisory Committee rather than to this Subcommittee.

Next Meeting

The Subcommittee agreed that it has completed its assignment concerning the Executive Order and will hold no further meetings in this regard unless directed to do so by ICIB. It was agreed that a meeting will be arranged by the Secretary in order that the minutes of meetings held on the order might be approved.